

JOSEPH P. RUSSONIELLO (CSBN 44332)  
United States Attorney

BRIAN J. STRETCH (CSBN 163973)  
Chief, Criminal Division

PATRICIA J. KENNEY (CSBN 130238)  
Assistant United States Attorney

450 Golden Gate Avenue  
San Francisco, CA 94102  
Telephone: 415.436.6857  
Facsimile: 415.436.6748  
Email: patricia.kenney@usdoj.gov

Attorneys for United States of America

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,  
Plaintiff,

v.

(1) REAL PROPERTY LOCATED AT  
2775 ROCHELLE STREET, SANTA  
ROSA, CA (APN 152-040-037-000);  
(2) A SMITH & WESSON .38 CALIBER  
AIRWEIGHT 5-SHOT REVOLVER  
(SERIAL NUMBER CJR7006 642-2);  
AND (3) A GLOCK-19 9MM SEMI-  
AUTOMATIC HANDGUN (SERIAL  
NUMBER FDF510),  
Defendant.

ADAM MCMAINS,  
Claimant.

No. 06-4903 SC

STIPULATION AND ORDER

By agreement of the parties, the Court initially stayed the instant case pursuant to 18 U.S.C. § 981(g)(1) and (2) on November 29, 2006, and the case has been stayed since that time because of an ongoing criminal investigation. *See* Stipulation and Order, etc., filed December 2, 2008. The Court requested the parties to provide a further status report.

1 See Stipulation and Order, etc., filed January 14, 2009. The parties apologize for failing to  
2 file that report in a timely fashion.

3 The undersigned Assistant United States Attorney conferred with the Assistant  
4 United States Attorneys handling the ongoing criminal investigation who suggest the  
5 current stay be continued and have requested the undersigned Assistant United States  
6 Attorney to ask the Court to set a new date for the filing of a status report. Accordingly,  
7 counsel for claimant and the undersigned Assistant United States agree that there is a basis  
8 for continuing the stay under 18 U.S.C. § 981(g) and the parties should file a further report  
9 on or before December 1, 2009 with the understanding that, if the parties believe that  
10 conditions for the current stay have changed between now and June 1, 2009, the parties can  
11 request the Court to place this case back on its active calendar for a case management  
12 conference.

13 IT IS SO STIPULATED:

14 JOSEPH P. RUSSONIELLO  
United States Attorney

15 Dated: September 4, 2009

16 /s/  
PATRICIA J. KENNEY  
Assistant United States Attorney

17 LAW OFFICES OF  
GEORGE C. BOISSEAU

18 Dated: September 4, 2009

19 /s/  
GEORGE C. BOISSEAU  
Attorney for claimant Adam McMains

20  
21 IT IS SO ORDERED PURSUANT TO THE FOREGOING STIPULATION ON  
22 THIS 10 DAY OF September, 2009, THAT THE PARTIES SHALL FILE A  
23 JOINT STATUS REPORT ON OR BEFORE DECEMBER 1, 2009 AND THAT THE  
24 PARTIES SHALL NOTIFY THE COURT IF THE CONDITIONS FOR THE CURRENT  
25 STAY CHANGE.

